



Michigan Supreme Court

State Court Administrative Office
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Milton L. Mack, Jr.
State Court Administrator

MEMORANDUM

DATE: June 20, 2016

TO: Probate Judges
Circuit Judges
Probate Registers and County Clerks
Court Administrators
Authorized Users of the Caseload Reporting System
Case Management System Providers

FROM: Milton L. Mack, Jr.

RE: Amendment of Administrative Order No. 2013-12: Probate Time Guidelines
Revised Caseload Reporting Forms and Instructions

In 2014, a probate time guidelines workgroup¹ was formed to consider whether to revise the probate time guidelines based on comments received by courts. The workgroup's main goal was to ensure that the guidelines provide valuable information to probate courts as a means of encouraging timely disposition of cases, which is the foundation of an efficient and effective justice system. The recommendations of the workgroup were submitted to the Michigan Supreme Court for consideration and posted for public comment. On May 25, 2016, the Court adopted the revised guidelines as recommended by the probate time guidelines workgroup. The amended [Administrative Order No. 2013-12](#) takes effect September 1, 2016.

The following are the revised guidelines as ordered by the Court:

1. Estate Proceedings. 75% of all cases should be adjudicated within 35 days from the date of the initial filing, 90% within 182 days, and 98% within 364 days.

¹ The probate time guidelines workgroup consisted of probate judges, probate registers, and attorneys from around the State of Michigan.

2. Guardianship, Conservatorship, and Protective Order Proceedings. 75% of all matters should be adjudicated within 90 days from the date of the initial filing and 95% within 364 days.
3. Mental Illness Proceedings; Judicial Admission Proceedings. 90% of all petitions should be adjudicated within 14 days from the date of filing and 98% within 28 days.
4. Civil Proceedings and Trusts Proceedings. 70% of all cases should be adjudicated within 364 days from the date of case filing and 95% within 728 days.

The revised case types were grouped together to reflect procedural similarities and requirements. All probate cases will be counted under the new guidelines, whether contested or uncontested. These guidelines apply to probate court, but also to cases filed in the circuit court as [ancillary proceedings](#).

Each court should review its local administrative order (LAO) for caseflow management and, if your court has listed each time guideline in the LAO, submit a new LAO that reflects the time guidelines revisions by September 1, 2016.

The 2016 caseload report shall be submitted using the current time guidelines. The 2017 caseload report, and subsequent reports, shall be submitted using the revised instructions, which correspond to the revised AO. Case management system providers may need to update systems before January 1, 2017, to capture the new information. For programming and reporting details, see the revised Probate Court Caseload (SCAO 22) form and instructions, the revised Circuit Court Caseload (SCAO 31) form and instructions, and the updated file formats for uploading the reports to [MCAP](#).

If you have reporting questions, please contact Kimberly Tody at 517-373-5538 or todyk@courts.mi.gov. If you have any other questions, please contact Robin Eagleson at 517-373-5542 or TrialCourtServices@courts.mi.gov.